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RIGHTS OF THE CHILD

Written statement* submitted by the European Federation of Road Traffic Crash Victims (FEVR), a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 January 2002]

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*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Road safety of children

Situation in Latin America

The present situation of traffic in the world clearly shows how the rights vulnerable road users are and how the different groups of people compare in the everyday increasing violence.

Believing that a democratic concept of civic security means the implementation of those public policies which assure to everybody the real exercise of his rights, F.A.V.A.T. (member of FEVR) is convinced that concrete solutions for the protection of children in the streets cannot be delayed anymore.

In the western political concept which prevails from the second half of last century both in America and Europe, the State has the obligation to ensure that the rights of some people does not affect those of others'. Thus one cannot continue to protect the systematic illega' activities of drivers to the detriment of pedestrians, and particularly of children.

According to this concept of road safety, the Civil Association "Familiares y Víctimas de Accidentes de Tránsito" (Road Accidents Relatives and Victims) wants to eradicate the causes of the last years' alarming official statistics. One of the most important causes of violent deaths both in Argentina and America are indeed road accidents.

Unfortunately, it is impossible to ignore the increasing ratio of injured children, which nowadays amounts to 20% of all the victims. This tragedy, which seriously affects children under 18 years is our concern because of their high level of vulnerability and because their right to live and their right to security is attacked.

According to the officials statistics, only in Buenos Aires, every day about 40 people suffer road accidents, at least 8 of whom are under 18 years. Thus, children and adolescents represent one of the main risk groups.

We are talking about thousands of kids each year, whose suffering has not been considered enough nor analysed. It is highly regrettable that in our country road accidents are the first cause of death for children above one year and for adolescents. Thus, according to the official data from '96, on a total of 177.000 children injured who required medical attention, 17.700 remain seriously injured. It is a veiled catastrophe, but people seem to be immunized or anaesthetized against this reality.

There is another reality behind this tragic situation, which has not improved since 1995: one out of four kids that survive an accident suffer either physical or psychological consequences, according to statistics from paediatric trauma.

An example of the negation of human rights, there are the remembrance plates on the front of Santa María Madre del Pueblo Church (located in humble neighbourhood in the province of Buenos Aires) for children who died. Since a long time its inhabitants have raised the problem road safety in that area, specially in front of the school and the dispensary, which are along a main road with heavy traffic. What makes the situation so very dangerous is that drivers don't even stop at traffic lights because of the fear of being robbed when they stop. Since the nineteenth century, security policy is based on the concept of "conservative order". This has created discriminatory attitudes which link poor people to criminals and considers the inhabitants of a humble neighbourhood as some kind of a second class citizen, who can live

without traffic lights because their lives have less value than those who live in middle and high class neighbourhoods, and are less significant than the fear of the drivers.

The study of road accidents –and specially of the causes of everyday accidents- is a concrete way of tackling the security and violence drama in the city. Civil servants have to protect civil rights. If innocent lives are lost due to the lack of action of those who are responsible for road infrastructure and the enforcement of regulations, the right to safety is being seriously affected.

Road accidents imply the highest ratio of children mortality both in the Industrialized and in the Third World: in developed countries, because of competitivity and industrialization; in underdeveloped ones, because of poverty and lack of prevention.

Given that the State has the duty to educate kids from every social class, and that children have the right to learn, which is a warranty of the right to security and to life, our association declares its support to eliminate the concept of the concurrent guilty (this means that both the victim and the driver are responsible for the accident) when children under 7 years are involved in road accidents and require insurance companies to pay immediately all the necessary expenses to prevent deaths or irreversible injuries.

F.A.V.A.T. proposes:

- Installation of traffic offence detectors by means of photographic control in school areas and children recreation zones.
- Installation of traffic lights in these areas.
- Control of games for children above all for driving games and their publicity.
- Implementation of a real and effective traffic education in primary and secondary schools.
- Suspension of the driving license for those who committed serious traffic offences against children and cancellation if repeated.
- Make people serve penalties, however insignificants they may seem.

Situation in Europe

The rights of life, body integrity and health of the children are often badly respected in the field of the road traffic. Indeed in the Member States of the Economic Commission of the United Nations for Europe, every year more than 17.000 children are killed on the road before their 18 th year. Most of these deaths could have been easily avoided. These children account for approximately 10% of the total number of killed on the road whereas this proportion is 20% for the Latin America.

This relatively low proportion in Europe is mainly due to a lower exposure of children to the road risks. For example, in many European countries the proportion of children accompanied to school has passed from 20% to 90% during the last 20 years. The increase in road danger led their parents and teachers to restrict their mobility, their outdoor activities and their independence. This confinement of the children generate negative consequences on their mental as well as on their physical health.

We know that the behaviour of the children is characterized by impulsiveness, need for movement, panic, limited field of vision and inability to fully interpret what they see. They only partially understand the words and the concepts of road education, let alone those of abstract signals. They are not able to elaborate the available information on the traffic situation in due time, in order to take the correct decisions (For example: cross now or wait). In other words, before 16 years, the children are not able to face modern traffic; education and training

can hardly improve these physiological characteristics.

In spite of these limitations, it is important to teach children the principles the road safety, in the pre-school establishments, the primary and secondary schools as well as within the framework of the extra-schoo! activities. It is also useful that the parents make them as visible as possible on the road, during day time by dressing them with bright colours, at night by providing them with retro- reflective elements.

Therefore the responsibility for the safety of the children falls mainly on the motorized drivers and not on the children. It is the duty of the authorities to take the necessary safety measures for them, requiring drivers to pay their greatest attention in the presence of children, by laying out infrastructures and by regulating the traffic in a suitable way. There exist many measures to decrease the number and seriousness of accidents. One of most effective is the respect of speed limitations, in particular in urban environment. In fact a reduced speed gives the driver more time to see the child, reduces the braking distance, and in the event of impact reduces the seriousness the injuries. Another measure is the fight against drink and drive. Indeed alcohol is present in more than 40% of the fatal accidents. It is thus essential to carry out regular controls of blood alcohol content of the drivers.